

## Message Text

CONFIDENTIAL

PAGE 01 BAMA KO 00323 251420Z

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ACTION AF-04

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R 241800Z JAN 75

FM AMEMBASSY BAMA KO

TO SECSTATE WASHDC 696

INFO AMEMBASSY PARIS

AMEMBASSY OUAGADOUGOU

AMEMBASSY LOME

C O N F I D E N T I A L BAMA KO 323

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NOFORN

EO 11652: GDS

TAGS: PBOR ML UV

SUBJ: MALI-UPPER VOLTA BORDER DISPUTE

REF: BAMA KO 198

1. I SAW DOUKARA, MALIAN MINISTER OF DEFENSE, INTERIOR AND SECURITY, THIS MORNING FOR FIRST TIME SINCE HIS RETURN FROM MOSCOW AND PARIS. AT HIS INITIATIVE HE REVIEWED THE HISTORY OF THE BORDER DISPUTE WITH UPPER VOLTA AND OUTLINED THE BASIS FOR THE MALIAN POSITION.

2. DOULARA'S ACCOUNT OF THE PRESENT STATE OF AFFAIRS WAS, EXCEPT FOR MINOR DETAILS, IDENTICAL WITH THAT GIVEN BY THE FRENCH AMBASSADOR AND REPORTED IN REFTEL. PRINCIPAL DIFFERENCES BETWEEN TWO ACCOUNTS WERE THAT SEPTEMBER 4 MEETING OF JOINING MALI-UPPER VOLTA COMMISSION TOOK PLACE IN BOBO-DIOULASSO RATHER THAN DJIBO AND THAT HIS SENDING OF TROOPS INTO THE DISPUTED AREA WAS IN ACCORDANCE WITH  
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PAGE 02 BAMA KO 00323 251420Z

AN AGREEMENT WITH UPPER VOLTA WHICH PROVIDED FOR PATROLS

IN THE AREA TO MAINTAIN CALM AMONG THE INHABITANTS OF THE REGION.

3. DOUKARA SAID THAT THE MALIAN POSITION ON THE LOCATION OF THE BORDER IS BASED UPON A FRENCH DECREE OF 1935 WHICH CLEARLY ESTABLISHES THAT THE VILLAGES IN THE DISPUTED AREA ARE AND HAVE BEEN UNDER MALIAN, OR EARLIER FRENCH SUDAN, ADMINISTRATION. ACCORDING TO DOUKARA THE UPPER VOLTAN POSITION IS BASED UPON A MAP ISSUED BY THE FRENCH NATIONAL GEOGRAPHIC INSTITUTE IN 1960. THE MALIAN POSITION IS THAT WHEN THERE IS A DIFFERENCE BETWEEN THE "JURIDICAL TEXTS" ESTABLISHING THE BORDER AND A SUBSEQUENT MAP, THE JURIDICAL TEXTS ARE CONTROLLING. HE SAID THAT THE GOM HAS SEVERAL TIMES ASKED THE UPPER VOLTANS FOR ANY TEXTS THEY MIGHT HAVE WHICH WOULD SUPERCEDE OR OVERRIDE THE MALIAN DOCUMENTATION BUT THAT THE GOUV HAS BEEN UNABLE OR UNWILLING TO PRODUCE ANY. DOUKARA WAS EMPHATIC IN SAYING THAT IF THERE WERE ANY DOCUMENTS, OTHER THAN AN ERRONEOUS MAP, WHICH WOULD DEFINE THE BORDER AS BEING DIFFERENT FROM THAT SHOWN BY THE DOCUMENTATION HELD BY THE MALIANS, THE GOM WOULD IMMEDIATELY AND UNHESITANTLY ACCEPT THE NEW BOUNDARY. UNTIL SUCH DOCUMENTATION WAS PRODUCED, HOWEVER, THE GOM FELT THAT IT HAD NO ALTERNATIVE BUT TO PROTECT ITS NATIONALS AND ITS TERRITORY. DOUKARA COMMENTED THAT THE VILLAGES IN THE DISPUTED TERRITORY HAD BEEN THERE FOR AT LEAST 200 YEARS AND THE PEOPLE IN THEM HAD ALWAYS CONSIDERED THEMSELVES, AND STILL DID, TO BE MALIAN.

4. DOUKARA FULLY RECOGNIZED THAT, GIVEN THE POVERTY OF BOTH MALI AND UPPER VOLTA, A DISPUTE OF THIS SORT WAS NOT IN THE INTEREST OF EITHER COUNTRY. HE SAID HE DID NOT UNDERSTAND, THEREFORE, WHY AFTER DISCUSSIONS THAT HAVE GONE ON FOR 13 YEARS OVER THE FRONTIER, WHICH HAD UNTIL THE SEPTEMBER 4TH MEETING BEEN RECOGNIZED BY BOTH SIDES AS BEING UNDEFINED, THE GOUV SHOULD SUDDENLY DECIDE TO MOVE UNILATERALLY. DOUKARA ADMITTED THAT BOTH THE DOCUMENTATION HELD BY MALI AND THE MAP HELD BY UPPER VOLTA DESCRIBED PORTIONS OF THE BOUNDARY IN DISPUTE AS BEING UNDEFINED, BUT, HE POINTED TO MALI'S EXPERIENCE IN SIMILAR BOUNDARY DISPUTES WITH MAURITANIA AND GUINEA AS BEING EXAMPLES OF

CONFIDENTIAL

PAGE 03 BAMAKO 00323 251420Z

HOW SUCH DISPUTES SHOULD BE RESOLVED. THOUGH I DO NOT EXPECT THE GOM SERIOUSLY TO PUT FORWARD SUCH A CLAIM DOUKARA SAID THAT IF ONE IS LOOKING FOR HISTORICAL PRECEDENTS TO BOUNDARY DEFINITIONS, ONE SHOULD GO BACK TO THE PRE-COLONIAL PERIOD. AT THAT TIME, HE SAID, BEFORE THE FRENCH IMPOSED ARTIFICIAL BOUNDARIES, ALL OF WEST AFRICA INCLUDING ALL OF UPPER VOLTA AND EXCEPT FOR THE MAHGREB WAS PART OF THE EMPIRE OF MALI.

5. DOUKARA SAID THAT THE GOM HAS ASKED FRANCE TO SUPPLY ANY ADDITIONAL DOCUMENTATION THAT MIGHT HELP ESTABLISH THE PROPER BOUNDARY. TO DATE, HE SAID, FRANCE HAS NOT RESPONDED.

6. DOUKARA OFFERED TO MAKE AVAILABLE TO ME ALL OF THE DOCUMENTATION THE GOM HAS TO SUPPORT ITS CLAIM. I DID NOT TAKE HIM UP ON THIS OFFER SINCE I DO NOT THINK WE SHOULD BE PLACED IN ANY WAY IN A POSITION OF PASSING JUDGMENT ON THE CLAIMS OF EITHER SIDE IN THIS DISPUTE.

7. DOUKARA ASSURED ME THAT IN SPITE OF THE CONTINUED HARASSMENT OF MALIANS IN UPPER VOLTA, GOM IS TAKING EVERY PRECAUTION TO PROTECT UPPER VOLTANS RESIDING IN MALI. HE COMMENTED IN PASSING THAT THE TIES BETWEEN MALI AND UPPER VOLTA ARE VERY STRONG, NOTING THAT HE HIMSELF HAS AN UPPER VOLTAN MOTHER-IN-LAW.

8. THERE IS TO BE A MEETING OF THE JURIDICAL SUB-COMMITTEE OF THE MIXED COMMISSION ESTABLISHED AT LOME, IN LOME, JANUARY 27. DOUKARA WILL REPRESENT THE GOM AT THAT MEETING AT WHICH BOTH SIDES WILL PRESENT THEIR DOCUMENTATION TO SUPPORT THEIR RESPECTIVE CLAIMS. DOUKARA ASSURED ME THAT IF UPPER VOLTA COULD PRESENT DOCUMENTATION TO SUPPORT ITS CLAIM GOM WOULD ACCEPT IT AND THAT WOULD BE THE END OF THE MATTER. I SHOULD COMMENT, HOWEVER, THAT DOUKARA DID NOT FLATLY SAY THE GOM WOULD ACCEPT THE JUDGMENT OF THE JURIDICAL SUB-COMMITTEE BUT RATHER LEFT ME WITH THE IMPRESSION THAT THE FINAL DETERMINATION AS TO THE VALIDITY OF UPPER VOLTAN DOCUMENTATION WOULD REMAIN WITH THE GOM.

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PAGE 04 BAMAKO 00323 251420Z

9. COMMENT: DOUKARA APPEARED TO ME TO BE SUPREMELY CONFIDENT BOTH AS TO THE LEGALITY OF THE MALIAN POSITION AND THE ULTIMATE DECISION OF THE JURIDICAL SUB-COMMITTEE AS WELL AS THE MILITARY CAPABILITY OF THE MALIAN ARMED FORCES EASILY TO HANDLE ANYTHING THE UPPER VOLTANS MIGHT ATTEMPT.

10. AT NO TIME DURING DISCUSSION DID DOUKARA MENTION POSSIBILITY OF ACQUISITION OF MATERIAL FROM THE U.S. HE DID NOT VOLUNTEER ANY INFORMATION ON HIS TRIP TO MOSCOW AND THE ATMOSPHERE DID NOT SEEM TO BE PROPITIOUS TO MY RAISING THE QUESTION.  
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## Message Attributes

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